

AMENDED IN ASSEMBLY MAY 19, 2011

AMENDED IN ASSEMBLY MAY 9, 2011

AMENDED IN ASSEMBLY MARCH 31, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 1210

Introduced by Assembly Member Garrick

February 18, 2011

An act to add Section 6730.4 to the Business and Professions Code, relating to water quality.

LEGISLATIVE COUNSEL'S DIGEST

AB 1210, as amended, Garrick. Water quality: stormwater discharge: civil engineering activities.

Under existing law, the State Water Resources Control Board and the California regional water quality control boards prescribe waste discharge requirements for the discharge of stormwater by municipalities and industries in accordance with the federal national pollutant discharge elimination system (NPDES) permit program.

Existing law, the Professional Engineers Act, requires all civil engineering plans, calculations, specifications, and reports to be prepared by, or under the responsible charge of, a licensed civil engineer. A violation of the act is a crime.

This bill would require all civil engineering activities performed in the preparation, ~~submission, execution, and enforcement~~ of stormwater pollution prevention plans pursuant to a specified general permit for stormwater discharges to be ~~prepared and~~ performed under the responsible charge of a licensed civil engineer.

Because a violation of these provisions would be a crime under the Professional Engineers Act, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 6730.4 is added to the Business and
2 Professions Code, to read:

3 6730.4. (a) Notwithstanding any other law, all civil engineering
4 activities performed in the preparation, ~~submission, execution, and~~
5 ~~enforcement~~ of stormwater pollution prevention plans pursuant to
6 the General Permit for Storm Water Discharges Associated with
7 Construction and Land Disturbance Activities (Order No.
8 2009-0009-DWQ of the State Water Resources Control Board),
9 and all amendments to that order, shall be ~~prepared and~~ performed
10 under the responsible charge of a licensed civil engineer.

11 (b) Nothing in this section is intended to affect the practice
12 rights of any person licensed by the state to practice or perform
13 any functions or services pursuant to that license.

14 SEC. 2. No reimbursement is required by this act pursuant to
15 Section 6 of Article XIII B of the California Constitution because
16 the only costs that may be incurred by a local agency or school
17 district will be incurred because this act creates a new crime or
18 infraction, eliminates a crime or infraction, or changes the penalty
19 for a crime or infraction, within the meaning of Section 17556 of
20 the Government Code, or changes the definition of a crime within
21 the meaning of Section 6 of Article XIII B of the California
22 Constitution.